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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/286,189	08/05/94	SANHUEZA	S MISMS1038348

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HM12/0623

EXAMINER

PARKIN, J

ART UNIT PAPER NUMBER

1648

AIR MAIL

DATE MAILED: 06/23/99

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES DEPARTMENT OF COMMERCE
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No.: 20

Application Number: 08/286,189
Filing Date: 05 August, 1994
Appellant(s): Sanhueza *et al.*

Michael I. Stewart
For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed 12 March, 1999.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellants' statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellants' statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellants' brief includes a statement that claims do not stand or fall together and provides reasons as set forth in 37 C.F.R. § 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

- 1) Hall, C. B., 1994, "Prospects for a Respiratory Syncytial Virus Vaccine.", Science 265:1393-1394.
- 2) Hildreth, S. W., et al., 1993, "Lack of detectable enhanced pulmonary histopathology in cotton rats immunized with purified F glycoprotein of respiratory syncytial virus (RSV) when challenged at 3-6 months after immunization.", Vaccine 11(6):615-618.
- 3) Toms, 1995, "Respiratory syncytial virus", Archi. Dis. Child. 72:1-5.

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 3-9, and 11-16 are rejected under 35 U.S.C. § 112, first paragraph. This rejection is set forth in prior Office action, Paper No. 15.

(11) Response to Argument

All issues raised by appellants were fully responded to in the preceding paragraph.

For the above reasons, it is believed that the rejections should be sustained.

Correspondence

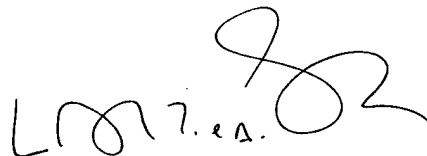
Correspondence related to this application may be submitted to Group 1600 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). Official communications should be directed toward one of the following Group 1600 fax numbers: (703) 308-4242 or (703) 305-3014. Informal communications may be submitted directly to the Examiner through the following fax number: (703) 308-4426. Applicants are encouraged to notify the Examiner prior to the submission of such documents to facilitate their expeditious processing and entry.

1. Any inquiry concerning this communication should be directed to Jeffrey S. Parkin, Ph.D., whose telephone number is (703) 308-2227. The examiner can normally be reached Monday through Thursday from 8:30 AM to 6:00 PM. A message may be left on the examiner's voice mail service. If attempts to reach the examiner are unsuccessful, the examiner's supervisors, Chris Eisenschenk, J.D., Ph.D., or Laurie Scheiner, can be reached at (703) 308-0452 or (703) 308-1122, respectively. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1600 receptionist whose telephone number is (703) 308-0196.

Respectfully submitted,

Jeffrey S. Parkin, Ph.D.

20 May, 1999



LAURIE SCHEINER
PRIMARY EXAMINER